

Document: Final Rule

Source: July 1, 2001, Indiana Register, Volume 24, Number 10

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**TITLE 35 BOARD OF TRUSTEES OF THE
PUBLIC EMPLOYEES' RETIREMENT FUND**

LSA Document #00-231(F)

DIGEST

Adds 35 IAC 1.2-8 concerning the implementation of cost-of-living procedures under IC 5-10.2-5-29 and IC 5-10.2-5-30 as added by P.L.228-1999. Effective 30 days after filing with the secretary of state.

35 IAC 1.2-8

SECTION 1. 35 IAC 1.2-8 IS ADDED TO READ AS FOLLOWS:

Rule 8. Cost-of-Living Adjustment

35 IAC 1.2-8-1 Calculation

Authority: IC 5-10.3-3-8

Affected: IC 5-10.2-5-29; IC 5-10.2-5-30

Sec. 1. A cost-of-living adjustment based on purchasing power replacement shall be calculated using the following elements for determinations made as of July 1:

- (1) The Consumer Price Index-W from the prior March 31 shall be used.**
- (2) For comparative purposes, the appropriate prior years' March 31 Consumer Price Index-W numbers shall be used.**
- (3) Retirees will be grouped (based on their latest retirement or disability date) by twelve (12) month periods running from July 2 through the following July 1. A single net adjustment percentage shall be calculated for each such group.**
- (4) Minimum and maximum amounts in prior postretirement adjustments shall not be taken into account.**
- (5) So-called "13th checks" shall not be taken into account.**

(Board of Trustees of the Public Employees' Retirement Fund; 35 IAC 1.2-8-1; filed May 18, 2001, 10:38 a.m.: 24 IR 3014)

35 IAC 1.2-8-2 Formula

Authority: IC 5-10.3-3-8

Affected: IC 5-10.2-5-29; IC 5-10.2-5-30

Sec. 2. (a) The elements established in section 1 of this rule shall be used in the formula in subsection (b).

(b) Compare the cumulative Consumer Price Index increase for an affected group to the cumulative postretirement cost-of-living adjustments for that group, as determined under section 1 of this rule, and increase that group's pension portion by the percentage (if any) determined by the fund actuary, as necessary to reach the minimum purchasing power established by the Indiana general assembly, for example:

- (1) fifty percent (50%) for 1999; and**
- (2) fifty-seven and four-tenths percent (57.4%) for 2000.**

(Board of Trustees of the Public Employees' Retirement Fund; 35 IAC 1.2-8-2; filed May 18, 2001, 10:38 a.m.: 24 IR 3014)

35 IAC 1.2-8-3 Increases

Authority: IC 5-10.3-3-8

Affected: IC 5-10.2-5-29; IC 5-10.2-5-30

Sec. 3. The increase shall be applied as of July of any year established by the general assembly, the first such year beginning July 1, 1999. *(Board of Trustees of the Public Employees' Retirement Fund; 35 IAC 1.2-8-3; filed May 18, 2001, 10:38 a.m.: 24*

IR 3014)

LSA Document #00-231(F)

Notice of Intent Published: 24 IR 391

Proposed Rule Published: January 1, 2001; 24 IR 1048

Hearing Held: January 29, 2001

Approved by Attorney General: May 7, 2001

Approved by Governor: May 16, 2001

Filed with Secretary of State: May 18, 2001, 10:38 a.m.

Incorporated Documents Filed with Secretary of State: None